

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

United States Courts  
Southern District of Texas  
ENTERED

APR 20 2005

Michael N. Milby, Clerk of Court

ARTHUR LEVERTON, #144950

V.

CORRECTIONAL MEDICAL SERVICES

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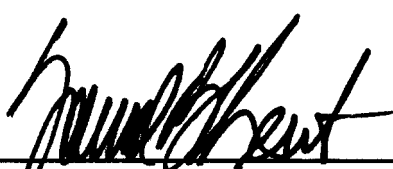
CIVIL ACTION NO. G-04-628

**ORDER OF DISMISSAL**

Before the Court for its Order of Acceptance is a Report and Recommendation of the United States Magistrate Judge, entered on February 14, 2005, which recommends that the instant case be dismissed with prejudice. Plaintiff, who was seeking injunctive relief in this matter but has since been released, has filed objections to the Report and Recommendation which contain no factual substance.

After *de novo* review pursuant to 28 U.S.C. §636 (b)(1)(C), this Court is of the opinion that the Report and Recommendation of the Magistrate Judge should be, and it is hereby, **ACCEPTED** in its entirety and incorporated by reference herein. It is the **ORDER** of this Court that this cause is **DISMISSED** with prejudice for lack of subject matter jurisdiction.

**DONE** at Galveston, Texas, this the 19<sup>th</sup> day of April,  
2005.

  
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SAMUEL B. KENT  
UNITED STATES DISTRICT JUDGE